



PUBLIC NOTICE

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ELECTRONIC FILING OF SECTION 208 AND SECTION 224 FORMAL COMPLAINTS

On February 4, 2011, the Commission released a Report and Order revising Part 1 and Part 0 of its rules.¹ Among those revisions are new regulations requiring the docketing and electronic filing of all newly filed section 208 formal complaints and newly filed section 224 pole attachment complaints.² During the transition to a comprehensive docketing regime, the *Part 1 Order* permits Bureaus not to assign a formal docket number to certain proceedings if, in the considered judgment of staff, it would not be in the public interest to do so.³ Similarly, the *Part 1 Order* states that, during the transition to a comprehensive electronic filing regime, Bureaus may permit paper filings, if doing so would be in the public interest.⁴

In accordance with the *Part 1 Order*, the Enforcement Bureau will be migrating newly filed section 208 formal complaints and newly filed section 224 pole attachment complaints to a formal docketing system and will be utilizing the Commission's Electronic Comment Filing System ("ECFS") in connection with those complaints. However, prior to doing so, the Commission's formal complaint rules⁵ and pole attachment rules⁶ must be modified in certain respects to facilitate the docketing and electronic filing changes. Accordingly, until such time as the revised complaint filing rules are adopted and effective, the Enforcement Bureau deems it to be in the public interest to defer the implementation of the docketing and electronic filing requirements for newly filed section 208 formal complaints and section 224 pole attachment complaints.⁷

For further information, contact the Enforcement Bureau at 202-418-7330.

¹ *Amendment of Certain of the Commission's Part 1 Rules of Practice and Procedure and Part 0 Rules of Commission Organization*, FCC 11-16, Report and Order, 26 FCC Rcd 1594 (2011) ("*Part 1 Order*").

² *Id.* at ¶¶ 10, 15.

³ *Id.* at ¶ 10.

⁴ *Id.* at ¶ 15.

⁵ 47 C.F.R. §§ 1.720-1.736.

⁶ 47 C.F.R. §§ 1.1401-1.1418.

⁷ Note that these new rules do not affect existing section 208 formal complaints or existing section 224 pole attachment complaints. They also do not concern carrier-to-carrier informal complaints. *See Id.* at Appendix A, (listing new rule §1.49(f)(1)(i) that requires "[f]ormal complaint proceedings under Section 208 . . ." to be filed electronically and excluding informal complaints from that rule).